

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ROBERT ANNABEL,

Plaintiff,

v.

Case No. 14-10244

JACK FROST, et al.,

Defendants.

**ORDER DENYING PLAINTIFF'S RENEWED MOTION
FOR APPOINTMENT OF COUNSEL**

Before the court is Plaintiff Robert Annabel's "Renewed Motion for Appointment of Counsel." (ECF No. 344.)

There is no constitutional right to appointed counsel in a civil case, *Childs v. Pellegrin*, 822 F.2d 1382 (6th Cir. 1987) and, as a general rule, counsel will only be appointed under 28 U.S.C. § 1915(e) in "exceptional circumstances," *Lavado v. Keohane*, 992 F.2d 601, 605-06 (6th Cir. 1993). Here, the court does not find exceptional circumstances warranting appointment. Moreover, unlike in criminal cases, the court does not have at its disposal a roster of attorneys who the court can "appoint" to represent a civil party. At most, the court could only *request* an attorney under 28 U.S.C. § 1915(e) to represent Plaintiff at no cost.

In this case, the court has already made such requests, and even once successfully enlisted pro bono counsel to represent Plaintiff. (ECF No. 172.) However, the representation was ended because Plaintiff had a poor relationship with the court-recruited attorneys. (ECF Nos. 181, 183, 186.) A subsequent effort to have counsel

assigned through the court's pro bono panel was also unsuccessful. (See ECF No. 286.) The court does not believe that another request is merited or fruitful in this case, and Plaintiff's motion will thus be denied.

Accordingly, IT IS ORDERED that Plaintiff's "Renewed Motion for Appointment of Counsel" (ECF No. 344) is DENIED.

s/Robert H. Cleland /
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: April 6, 2023

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, April 6, 2023, by electronic and/or ordinary mail.

s/Lisa Wagner /
Case Manager and Deputy Clerk
(810) 292-6522

S:\Cleland\Cleland\NTH\Civil\14-10244.ANNABEL.RenewedMotiontoAppointCounsel.NH.docx